

U.S. Patent Application No. 10/029,286 Examiner Botts  
Response & Request for Reconsideration to May 19, 2006 Office Action

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### REMARKS

In response to the Office Action, Assignee respectfully requests reconsideration based on the following remarks. In the Office Action, the United States Patent and Trademark Office (the "Office") (1) indicated that the May 19, 2006 Office Action was the first Office Action on the merits, (2) indicated that claims 1-20 were examined, with claims 1, 4, 6, 9, 15, and 20 identified as independent claims, (3) rejected claims 1-11 and 14-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2001/0056460 to *Tupler et al.* (also referred to herein as "*Sahota*"); and (4) rejected claims 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over *Tupler* in view of U.S. Patent Application No. 2002/0049788 to *Lipkin, et al.* The Assignee takes official notice of items (1) and (2), cancels claims 4 and 5 without prejudice or disclaimer, submits a non-substantive amendment of claim 13, and responds to items (3) and (4) to show that claims 1-3 and 5-20 are not fully disclosed in the cited reference(s) nor are the pending claims anticipated, nor obviated, by the cited reference(s). Consequently, the Assignee respectfully requests reconsideration and respectfully submits that the pending claims (claims 1-3 and 5-20) are ready for allowance.

#### ***§102 Rejection:***

The Office rejected claims 1-11 and 14-20 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication 2001/0056460 A1 to *Sahota et al.*, (also referred to as *Sahota*). A claim is anticipated only if each and every element is found in a single prior art reference. See *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d (BNA) 1051, 1053 (Fed. Cir. 1987). See also DEPARTMENT OF COMMERCE, MANUAL OF PATENT EXAMINING PROCEDURE, § 2131 (orig. 8<sup>th</sup> Edition) (hereinafter "M.P.E.P."). Claims 4 and 5 are canceled in this Response without prejudice or disclaimer, and the rejections of these claims are now moot. Further, as the Assignee shows, the reference to *Sahota* fails to include every element of the pending claims (1-3, 5-11, and 14-20). The reference to *Sahota*, then, does not anticipate the claimed subject matter, and Assignee respectfully requests that the Office remove the 35 U.S.C. § 102 (e) rejection and allow claims 1-3, 5-11, and 14-20.

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Claims 1-3, 5-11 and 14-20 are not anticipated by *Sahota*. More particularly, claims 1-3, 5-11 and 14-20 recite, or incorporate, features not taught or suggested by the *Sahota*. Independent claims 1, 6, 9, 15, and 20 are reproduced below:

1. A method for providing a business engine using platform independent business rules, comprising:

providing a *platform dependent business engine*;  
encoding a set of business rules in extensible style language translator ("XSLT") to obtain an XSLT business rule component comprising the platform independent business rules, the XSLT business rule component operative to perform logical manipulations based on the platform independent rules; and  
coupling the XSLT business rule component with the platform dependent business engine to create the business engine using the platform independent business rules.

6. A method for providing a common business service ("CBS") unit used in conjunction with an application program, the CBS unit using platform independent business rules, comprising:

encoding a set of business rules in extensible style language translator ("XSLT") to obtain an XSLT business rule component comprising the platform independent business rules, the XSLT business rule component operative to perform logical manipulations based on the platform independent business rules;  
providing a platform specific CBS unit; and  
coupling the XSLT business rule component with the CBS unit to obtain the CBS unit using the platform independent business rules.

9. A method for manipulating input data and providing output data, comprising:

encoding a set of business rules in extensible style language translator ("XSLT") to obtain a set of XSLT business rules;  
coupling the set of XSLT business rules with a platform dependent business engine to obtain an XSLT business engine; and  
using the XSLT business engine to:  
receive the input data from a source;  
perform a logical manipulation of the input data based on the XSLT business rules; and  
provide the output data to the source.

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15. A method for performing a task requested by an application program comprising:

encoding a set of business rules in extensible style language translator ("XSLT") to obtain platform independent business rules;  
*coupling the platform independent business rules with a platform dependent common business service ("CBS") unit to obtain an XSLT CBS unit;* and  
using the XSLT CBS unit to:  
*receive input data from the application program;*  
*perform a logical manipulation of the input data based on the platform independent business rules; and*  
*provide output data based on the logical manipulation.*

20. A computer-readable medium containing computer-executable instructions comprising:

a set of business rules encoded in extensible style language translator ("XSLT"), wherein the encoded set of business rules can be adaptively coupled with *a platform dependent business engine* using a document type definition to provide *a platform dependent business engine having behavior based on the set of business rules encoded in XSLT.*

U.S. Patent Application 10/029,286, independent claims 1, 6, 9, 15, and 20 (emphasis added by Assignee to illustrate exemplary claimed subject matter not disclosed or otherwise suggested by *Sahota*).

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*Sahota discloses:*

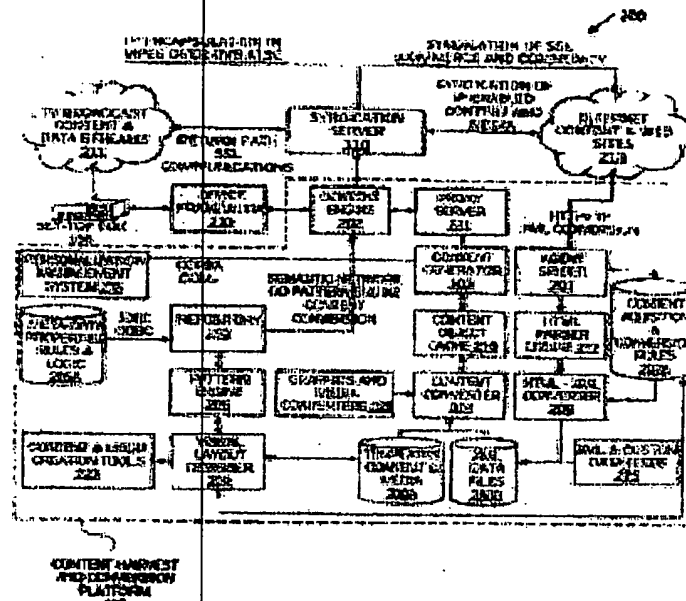


FIG. 2A

[0045] . . . Referring to FIG. 2[A], exemplary architecture 200 provides details of the subsystems for content harvest and conversion platform 130. The subsystems can be hardware and/or software modules to transform content from one platform to be executable on multiple platforms.

[0046] Syndication server 110 is responsible for the overall management of the system within exemplary architecture 200. In particular, syndication server 110 controls content flow to set-top box 106. Syndication server 110 can also control content flow to other types of devices, e.g., a PDA or a wireless telephone. Syndication server 110 can also coordinate client requests, content delivery, and commerce transactions that may be initiated, e.g., by a user of TV 104. Syndication server 110 interfaces with TV broadcast content and data streams 211. . . .

[0047] Syndication server 110 also interfaces with Internet content and web sites 213, which can be accessible by standard compliant browsers. Syndication server 110 can combine the ability to broadcast content and the ability to request content to create new personalized experiences. For example, syndication server 110 can add new content to a web page being sent to set-top box 106. That is, syndication server 110 can retrieve harvested content and combine a variety of new content types with the data broadcast to provide a "new look and feel" to the content. Syndication server 110 uses content engine 202 to create synthesized content.

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Syndication server 110 can target the synthesized content for various types of platforms, devices, and audiences.

[0048] Syndication server 110 can perform syndication on-the-fly in response to a user's request of TV 104. Syndication server 110 can also be programmed to perform scheduled syndication of content to the user. In one embodiment, syndication server 110 is to operate using Java Script Pages (JSP), Java and Enterprise Java Beans (EJB) to convert standardized content data stream to other optimized formats for various types of platforms, devices, and audiences. In another embodiment, syndication server 110 is to operate using an open standard, which includes the XML standard. In other embodiments, syndication server 110 is to operate using standard XML applications, which include Extensible Style Sheet Language Transformation (XSLT), XML path language (XPath), World Wide Web Consortium (W3C) Document Object Model (DOM) Application Program Interface (API), or other like standards. Such XML applications will be described in further detail below. Furthermore, all syndication modules within syndication server 110 can be packaged as enterprise java beans (EJB), which allows the modules to run within an EJB compliant application servers. An EJB compliant application server provides an architecture for the development and deployment of distributed object systems for the Java platform. Applications written using the EJB architecture are scalable, transactional, and multi-user secure.

[0049] Content engine 202 is responsible for creating and delivering content and media assets to device framework 210. Content engine 210 uses a repository 205 storing meta data properties, rules, and logic 205a and content generator 203 via proxy server 221 to provide a dynamic and compelling targeted service to set-top box 106 or for other devices. Content engine 202 can provide a service that is easy to update and change. Content engine 202 manages localization and personalization of content and media assets for geographic and demographic targeting. In one embodiment, content engine 202 leverages existing algorithms for collaborative filtering and personalization by exposing meta data, properties, rules, and logic 205a in repository 205 with external personalization management system 215 [the personalization management system 215 is illustrated as a component of the content harvest and conversion platform 130 of FIG. 2A].

[0050] Content engine 202 dynamically composes content, scripts, and media for syndication server 110. Content engine 202 can also generate code or instructions, which are industry standard compliant, to exploit specific platforms and devices. For example, content engine 202 can convert an HTML web page into an XML file. Content engine 202 can use extensive routines and libraries provided by device framework 210 to

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deliver a highly scalable environment. Content engine 202 can be used to customize the content for geographic and demographic integration into the data broadcast, which provides instant, responsive, and compelling experiences for the end user.

[0051] Content generator 203 is responsible for producing well formed HTML, XML, JavaScript, Java, custom code and other media formats for targeting content to specific platforms and devices. Content generator 203 uses meta data, properties, rules, and logic 205a with templates, content, and media 209a and XML data files 208a to generate content for delivery to content engine 202. Content generator 203 uses content converter 204 and content acquisition system ("Agent Spider") 207 to locate, harvest, convert and deliver existing Internet content for new interactive services. For example, the Internet content can be HTTP, file transfer protocol (FTP), or XML content, which is to be converted. In one embodiment, the Internet content is to be converted to an XML file.

[0052] Content generator 203 uses templates, content, and media 209a and repository 205 storing meta data, properties, rules, and logic 205a to resolve object properties and design information. The meta data drives the generation process to be highly targeted and adapted for specific devices and users. Content generator 203 can use an external content object cache 219 to optimize the delivery of previously composed and loaded content. Content object cache 219 is loaded dynamically and optimized to combine broadcasted content.

[0053] Content Converter 204 is responsible for transforming, e.g., XML data files 208a or other type of media, to new formats using templates, content, and media 209a. Content converter 204 manages and coordinates existing conversion tools and libraries to transform content. The templates and conversion rules are stored as templates, content, and media 209a that is populated by the visual layout designer 209. A user can operate visual layout designer 209 to create templates to describe how content should be laid out and what interface model and logic should be applied. XML data files 208a are used to access service data and information that is combined with media, content, and script files. Each XML file type and content type are tagged with meta data to allow for fine tuned delivery of specific versions, file sizes, color depths, visual style, and audio quality. In one embodiment, content converter 203 transforms assets dynamically (with caching). In another embodiment, content converter 203 can be scheduled in a batch mode other types of services.

[0054] Repository 205 is a semantic network based data store of all objects and properties of the overall content syndication system 200. Repository 205 can be one or more memory devices (e.g., a fixed disk) to

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store a database of meta data, repositories, rules, and logic 205a. In one embodiment, repository 205 uses an object, fact and value based meta data model to store meta data information about design objects and properties. In one embodiment, repository 205 provides data to allow a semantic network based approach with a flexible verb table driven meta model, which allows any information to be captured, versioned, catalogued, indexed and queried. Repository 205 can store screen designs, templates, business logic and conversion rules for content delivery to a variety of execution environments.

[0055] Repository 205 can use a database to store meta data, properties, rules, and logic 209a. Repository 205 can be used to provide a lazy on demand loading ability to load an object's facts and properties. Repository 205 has the ability to store variants, stacked configurations, and language filtering to make storage of multiple versions of applications and content to be cost effective and very efficient. Repository 205 uses pattern engine 206 to provide projected views of the meta data to allow resolution of facts for composing object containments, collaborations, and properties. Pattern engine 206 is used to fully resolve across platform types, variants and locales and provides an elegant way to store and view multiple versions of the same service.

[0056] Pattern Engine 206 is tightly integrated with the repository 205, but requires special attention as it provides the algorithm and meta model to enable large-scale reuse of complete architectures, interface models, and personalization logic from existing designs. Pattern engine 206 takes into account existing proven system architectures and pre-build components and applies domain and platform specific modifications to create dynamic, customized version of each interactive service. Pattern engine 206 is used by repository 206 to provide "projections" of the design information for a specific configuration. Pattern engine 206 uses advanced object oriented inheritance and semantic network taxonomy algorithms to provide an easy to use abstraction of the service for professional creative and business users.

\* \* \*

[0059] HTML converter 208 converts existing HTML type content into clean well-formed documents (XHTML) for conversion into XML service specific schemas and data files. An XML schema offers an XML centric means to constrain XML documents. The conversion logic and process is stored in a content acquisition and conversion rules repository 207a. *HTML converter 208 creates XML data files 208a based on the conversion rules in the repository and creates XML data files and streams that are used by content converter 204 and content generator 203 subsystems to create dynamically content for specific platforms and device*

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*frameworks.* The XML files created represent the data and properties of any service and are used to generate the user interface, interaction model and view of the service. HTML converter 208 is also responsible for converting other XML and other custom content data feeds from a variety of sources. HTML converter 208 is designed to be extended using a plug in architecture for adding on new conversion modules. HTML converter 208 is responsible for language, encoding and XML document type destination (DTD) conversion. HTML converter 208 allows custom code and routines to be used to parse and convert HTML and XML files.

\* \* \*

[0062] Device framework 210 is responsible for managing the client side components and logic to provide a rich compelling interactive user experience. In one embodiment, device framework 201 is a module within set-top box 106. In another embodiment, device framework 201 is a module within content harvest and conversion platform 130. Device framework 210 include routines and components for exploiting the platform application program interfaces (APIs), playing specific media types and enabling seamless user interaction models. Device framework 210 uses a proprietary cross platform method to enable content and services to run on any device capable for Internet standard protocols including ATVEF compliant receivers. Device framework 210 requests information and services from content engine 202 and executes the content on the device. Device framework 210 comprises of a rich set of object models and components that work across multiple platforms that abstract the core functionality required on every device.

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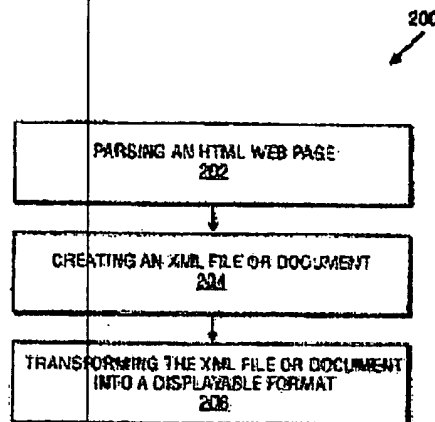


FIG 2B

[0064] FIG. 2B illustrates a flow chart of an operation 200 for processing an HTML web page. For purposes of explanation, operation 200 is performed by the subsystems of content harvest and conversion platform 130 and operation 200 begins at operation 202.

[0065] At operation 202, an HTML web page is parsed. For example, HTML parser engine 217 can parse an HTML web page from Internet content and web sites 213. In one embodiment, selected tags, styles, and content are either replaced or removed from the HTML page. Such a modification can be displayed in a browser to see the changes.

[0066] At operation 204, an XML file is created from the parsed HTML web page. For example, HTML-XML converter 208 can be used to convert the parsed HTML web page from parser engine 217 into an XML file which can be stored in XML data files 208a.

[0067] At operation 206, the XML file or document can be transformed into a displayable format. For example, content converter 204 and content generator 203 can be used together to transform an XML file stored in XML data files 208a. In one embodiment, an XML file is transformed into an HTML web page. An extensible style sheet transformation (XSLT) application can be used to perform such a transformation.

[0068] An XSL application transforms and translates XML data from one format into another. Thus, an XSL applications allows an XML file to be displayed in an HTML, PDR, Postscript or other like formats. That is, without an XSL application, the XML document would have to be

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manually duplicated, and then converted into each of separate format. Instead, an XSL application provides a mechanism of defining style sheets to accomplish these types of tasks. In particular, rather than having to change the data because of a different representation, an XSL application provides a complete separation of data, content, and presentation. Specifically, an XSL application is used to map an XML file into another representation. Using XSL is thus comparable to writing a Java program to translate data into, e.g., a PDF or HTML document, but supplies a standard interface to accomplish such a task.

[0069] In one embodiment, such a transformation can either occur within content harvest and conversion platform 130, syndication server 110, or even in set-top box 106. In other embodiments, the XML file can be transformed into another XML file. Alternatively, the XML file does not have to be transformed but can include an HTML page with special links.

U.S. Patent Application No. 2001/0056460, FIGS. 2A-2B and paragraphs 45-63 (emphasis added by Assignee). *Sahota* then is limited to subject matter for acquiring and transforming content for delivery to a variety of execution environments. Consequently, *Sahota* does not teach, disclose, and/or otherwise suggest (1) providing one or more platform dependent business engines (e.g., CBS unit) and/or (2) coupling the platform independent (e.g., XSLT) business rule component with the platform dependent business engine (e.g., CBS unit) using the platform independent business rule.

***Independent claims 1 and 20 and respective dependent claims:***

In regards to independent claims 1 and 20, the Office asserts:

"See, *Sahota*, figures 2A-2B, and paragraphs [0024]-[0142], particularly [0054]-[0069], [0082]-[0084], and [0136]-[0142], and claims 41-50, teaching XSLT used with a "content converter" [204] to map data into a variety of representations as a standard interface. See, particularly, *Sahota*, figure 2A and paragraphs [0066]-[0068]."

Office Action, p. 3. Assignee respectfully asserts that "content converter" 204 does not teach, disclose, suggest, and/or otherwise equate to the claimed subject matter of independent claims 1 and/or 20 – that is, *Sahota* does not teach, disclose, and or otherwise suggest (1) providing a platform dependent business engine and/or of (2) coupling the platform independent (e.g., XSLT) business rule component with the

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platform dependent business engine (e.g., CBS unit) using the platform independent business rule. Rather, the content converter 204 of *Sahota* "manages and coordinates existing conversion tools and libraries to transform content" and is limited to the content harvest and conversion platform 130 of syndication system 100. That is, as described in *Sahota*:

[0035] *Content harvest and conversion platform 130 is a processing system, which can harvest content on network 102 and provide frameworks and templates for the content usable by syndication server 102. Alternatively, content harvest and conversion platform 130 can be hardware and/or software modules operating within syndication server 110 or set-top box 106 to harvest and transform content on network 102. In one embodiment, content harvest and conversion platform 130 is used to harvest and parse an HTML web page into an XML file.*

[0036] *The XML file can include any number of templates with new content and media added. For example, an HTML web page is parsed, and selected tags, styles, and content can either be replaced or removed thereby creating new content from the original HTML web page. Thus, if a user wants to access a particular web page on web server 112, content harvest and conversion platform 130 can have predefined templates for that web page such that syndication server 110 will provide the web page to set-top box 106 using the predefined templates.*

U.S. Patent Application No. 2001/0056460, paragraphs 35 and 36 (emphasis added by Assignee).

For these reasons and others, Assignee respectfully requests that the rejection of independent claims 1 and 20 and respective dependent claims 2-3 be removed and requests allowance of these claims.

***Independent claim 6 and respective dependent claims 7-8:***

In regards to independent claim 6 and respective claims 7-8, the Office asserts:

"It is noted that a common business service (CBS) is disclosed as the XSLT business component claimed."

"See, *Sahota*, paragraphs [0054]-[0055], teaching the repository 205 to store "rules and logic" which may be accessed on demand, and which is

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therefore a common business service and is taught to be used with an XSLT business rule component."

Office Action p. 6. However, Assignee disagrees. The Specification describes the claimed platform specific CBS unit and the claimed XSLT business rule component as unique components. That is, the Specification provides:

Referring to FIGS. 6A and 6B, another advantage of the present invention is described. A web application server 600 includes, among other things, an application program 602 and, typically, a number of common business service ("CBS") units, collectively designated as 606. The application program 602 provides information to and receives information from a user 612 via a browser 604. In general, the CBS unit 606a performs a particular service requested by the application program 602 in response to the user's input and communicates with a backend service 608 via a backend bus 610. In general, the backend service 608 accesses a backend database 614, which includes the business rules for the CBS 606a.

For example, assume a telephone number validation process is required between the application server 600 and the user 612. Assume further that a business rule requires the input telephone information be in one of the following forms: (NNN) XXX-YYYY, NNN-XXXX-YYY, or NNNXXXXYYY. In conventional systems, the business rule defining the acceptable forms of an input telephone number is stored in the database 614. Accordingly, conventional methods of validating a telephone number require sending information from the application program 602 to the backend database 614 and sending information from the backend database 614 to the application program 602. In other words, referring to FIG. 6B, to generate a validation output 620, the input data 622 needs to be communicated across four nodes, the application 602, the CBS 606a, the backend service 608 and the backend database 614.

In contrast, an application server 600 utilizing an XSLT business rule component 630 according to the present invention only needs to communicate the information across two nodes. For example, assume an XSLT business rule component 630 is loaded into a CBS 632, thereby creating an XSLT CBS unit 660. The CBS 632 encapsulates the rules for interacting with the application program 602, while the rules regarding acceptable forms of a telephone number are encapsulated in the XSLT business rule component 630. Accordingly, when the application program 602 receives telephone information from the user 612, the CBS 632 can validate the information without reaching back to the backend database 614.

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Referring to FIG. 6B, for the same telephone number validation example discussed above, a validation output 640 is generated after the input data 642 is communicated across only two nodes: the application program 602 and the CBS 632. Accordingly, the present invention allows the application server 600 to validate input information without accessing the backend database 614. This advantage becomes particularly significant if the application server 600 resides on a wireless platform, where communication to the backend device is costly.

As another example, if twelve (12) parameters are required for validation, conventional methods transmit the twelve parameters sequentially to the backend service 608 which accesses the business rules in the backend database 614. If the eleventh parameter is invalid, an error message is not sent until after eleven (11) parameters have been evaluated and communicated through the application program 602, the CBS 606a, the backend service 608, and the backend database 614, which process represents a waste of network resources. Furthermore, re-entry and re-validation of the twelve parameters are still needed. In contrast, the present invention allows the business rules for the twelve parameters to be encapsulated in an XSLT business rule component. Thus, the validation of and decisions regarding the twelve parameters can be completed without using the communication link to a backend device, thereby eliminating the delay and inefficient use of network resources associated with conventional methods.

Another advantage of the present invention is that when the business rules change, only the XSLT business rule component 630 needs to be updated. The business rule component 630 in turn facilitates automatic updates of all CBS's that use the XSLT business rule component. The CBS's could be designed to reload the XSLT business rule component periodically or to reload the XSLT business rule component whenever there has been a change. Thus, by encoding business rules in XSLT, a platform independent business rule component that can be deployed across platforms using different languages is created.

U.S. Patent Application No. 10/029,286, p. 8, line 19 through p. 10, line 10.

The Assignee respectfully asserts that (1) the "repository" 205 of *Sahota* does not teach, disclose, suggest, and/or otherwise equate to the claimed subject matter of independent claim 6 – that is, *Sahota* does not teach, disclose, and or otherwise suggest (1) providing a platform specific CBS unit and/or of (2) coupling the platform independent (e.g., XSLT) business rule component with the CBS unit to obtain the CBS unit using the platform independent business rules. Rather, the repository 205 of *Sahota*

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is limited to the content harvest and conversion platform 130 of syndication system 100.

That is, as described in *Sahota*:

[0035] *Content harvest and conversion platform 130 is a processing system, which can harvest content on network 102 and provide frameworks and templates for the content usable by syndication server 102. Alternatively, content harvest and conversion platform 130 can be hardware and/or software modules operating within syndication server 110 or set-top box 106 to harvest and transform content on network 102. In one embodiment, content harvest and conversion platform 130 is used to harvest and parse an HTML web page into an XML file.*

[0036] *The XML file can include any number of templates with new content and media added. For example, an HTML web page is parsed, and selected tags, styles, and content can either be replaced or removed thereby creating new content from the original HTML web page. Thus, if a user wants to access a particular web page on web server 112, content harvest and conversion platform 130 can have predefined templates for that web page such that syndication server 110 will provide the web page to set-top box 106 using the predefined templates.*

U.S. Patent Application No. 2001/0056460, paragraphs 35 and 36 (emphasis added by Assignee).

For these reasons and others, Assignee respectfully requests that the rejection of independent claim 6 and respective dependent claims 7-8 be removed and requests allowance of these claims.

***Independent claims 9 and 15 and respective dependent claims:***

In regards to independent claims 9 and 15 and respective dependent, the Office asserts:

*"See, Sahota, figures 2A-2B and paragraphs [0024]-[0142], particularly [0054]-[0069], [0082]-[0084], and [0136]-[0142], teaching XSLT business rules to a platform dependent business engine to obtain an XSLT business engine and using the XSLT business engine to receive input, perform manipulations of the input data based on the business rules, and provide output data."*

Office Action, pp. 7-8 and p. 9. Assignee respectfully asserts that *Sahota* does not teach, disclose, suggest, and/or otherwise equate to the claimed subject matter of (1) coupling

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the platform independent business rules with a platform dependent business engine (e.g., CBS unit) to obtain an XSLT business engine, and (2) using the XSLT business engine unit to receive input data from the application program, perform a logical manipulation of the input data based on the platform independent business rules, and provide output data based on the logical manipulation. Further, the cited passages disclose harvesting and extracting content from disparate content sources on multiple platforms and generating a standardized data stream for presentation on one or more different platforms.

For these reasons and others, Assignee respectfully requests the Office to remove these rejections and to allow independent claims 9 and 15 and corresponding dependent claims.

***§ 103 Rejections:***

The Office rejected claims 12 and 13 under 35 U.S.C. 103(a) as being unpatentable over *Sahota* in view of *Lipkin*. If the Office wishes to establish a *prima facie* case of obviousness, three criteria must be met: 1) combining prior art requires "some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill"; 2) there must be a reasonable expectation of success; and 3) all the claimed limitations must be taught or suggested by the prior art. DEPARTMENT OF COMMERCE, MANUAL OF PATENT EXAMINING PROCEDURE, § 2143 (orig. 8<sup>th</sup> Edition) (hereinafter "M.P.E.P."). As the Assignee shows, however, the combination of *Sahota* and *Lipkin* fails to teach or otherwise suggest the claimed subject matter of claims 12 and 13. That is, *Sahota* fails to disclose, teach, or otherwise suggest (1) coupling the platform independent business rules with a platform dependent business engine (e.g., CBS unit) to obtain an XSLT business engine, (2) using the XSLT business engine unit to receive input data from the application program, perform a logical manipulation of the input data based on the platform independent business rules, and provide output data based on the logical manipulation, and (3) calling another business engine based on the logical manipulation. And, *Lipkin* fails to cure the deficiencies of *Sahota*. See, U.S. Patent Application No.

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2002/0049788. That is the combination of *Lipkin* and *Sahota* fails to disclose, teach, or otherwise suggest (1) coupling the platform independent business rules with a platform dependent business engine (e.g., CBS unit) to obtain an XSLT business engine, (2) using the XSLT business engine unit to receive input data from the application program, perform a logical manipulation of the input data based on the platform independent business rules, and provide output data based on the logical manipulation, and (3) calling another business engine based on the logical manipulation. Therefore, Assignee respectfully requests the Office to remove these rejections and to allow claims 12 and 13.

**DUE PROCESS**

As set forth above, the independent claims recite additional subject matter that is not even remotely taught or suggested by *Sahota* and/or by the combination of *Sahota* and *Lipkin*. For example, the cited art does not teach, disclose, or otherwise suggest coupling a platform independent business rule component (e.g., XSLT) with a platform dependent business engine (e.g., a platform specific CBS unit) to create the business engine using the platform independent business rules. These rejections, then, are improper and must be withdrawn. Still further, maintaining these rejections is a violation of due process. If the Office wishes to factually support any of these rejections, then another office action is required. This other office action must follow the requirements of MPEP §§ 2131 and/or 2143. Further, this other office action cannot maintain the rejection — this other office action may ONLY properly present the reasons for the rejection. Further, once the Office properly follows MPEP §§ 2131 and/or 2143 and properly supports a rejection, the Assignee must be given another opportunity to rebut the rejection — *that is, the next office action can NOT be final*. Any other action is a violation of due process.



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**CONCLUSION**

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All of the rejections have been overcome. The subject matter of claims 1-3 and 5-20 are not obviated nor are the pending claims anticipated by the cited reference. Further, the Assignee respectfully asserts that the next office action may not be final because the Office has failed to meet the requirements set forth MPEP §§ 2131 and/or 2143. Still further, because the pending claims are patentably distinguishable, the Assignee respectfully requests that a Notice of Allowability issue.

**AUTHORIZATION FOR PAYMENT OF FEES &  
REQUEST FOR AN EXTENSION OF TIME**

Assignee respectfully requests a three month extension of time fee for the Response to the May 19, 2006 Office Action from August 19, 2006 to November 19, 2006. Because November 19, 2006 fell on a Sunday, Assignee submits the Response on Monday, November 20, 2006.

Description of Fee	Amount
Three Month Extension of Time Fee	\$1020.00
<b>Total</b>	<b>\$1020.00</b>

The Assignee, therefore, includes a Credit Card Payment Form PTO-2038 for \$1020.00.

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If there are any other fees due in connection with the filing of this response, please charge the fees to the credit card on file. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to the credit card on file.

If the Office has any questions, the Office is invited to contact the undersigned at (757) 253-5729 (office), (757) 784-1978 (cellular), or [bambi@wzpatents.com](mailto:bambi@wzpatents.com).

Respectfully submitted,



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Date: NOVEMBER 20, 2006

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